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EXAMINER

NEURAUTER, GEORGE C

ART UNIT PAPER NUMBER

2143

DATE MAILED: 10/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/497,383

Applicant(s)

BAHR ET AL.

Examiner

George Neurauter

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18-27, 29-33, 35-53 and 55-59 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) ____ is/are allowed.

- 6) ☒ Claim(s) 1-16, 18-27, 29-33, 35-53 and 55-59 is/are rejected.

- 7) ☐ Claim(s) ____ is/are objected to.

- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5, 6, 7, 9, 6 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The marked-up section of the preliminary amendment entered 17 May 2002 shows claims 54 and 55 entered as new when claim 54 was canceled and claim 55 was once amended earlier in the amendment. Based on the clean copy of the claims provided, the Examiner will assume the “new” claims 54 and 55 are claims 57 and 58 as recited in the clean copy.

Specification

The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

The recited claims do not commence on a separate sheet in accordance with 37 CFR 1.52(b)(3). A new recitation of the claims is required and must begin on a separate sheet, apart from any text.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-8 and 49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claims 3-7 recite the word “activatable”. This word is grammatically incorrect and requires correction.

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5. Claims 2-8 and 49 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: “control portion” and “client”.

Based on the Examiner’s interpretation of claims 2 and 3, the “control portion” contains a plurality of “control elements”. Claims 2 and 3 recite: “wherein the control element includes...control element(s)”. The Examiner finds these claims to be incomplete since the “control portion” is apparently missing from the claim language. Claims 4-8 are also rejected since they depend on these incomplete claims.

In order to view the application in view of the prior art, the Examiner will assume that the element “control portion” includes control element(s).

Based on the Examiner’s interpretation of claim 49, document data is passed from the server to a client. Claim 49 recites: “...the server receives document data and index data from the server...”. The Examiner finds this claim to be incomplete since the “client” is apparently missing from the claim language.

In order to view the application in view of the prior art, the Examiner will assume that the element “client” sends document data to the server.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 9-11 and 25-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Olbirt [US Patent 6 429 952].

Regarding claim 9, Olbirt discloses a method comprising the steps of a) generating a start scan signal using a control element defined by a hypertext mark-up language (HTML) document displayed by a web browser of a user interface of a client device; [Figure 2; item 46; column 1, line 55-column 2, line 4; column 3, lines 42-65, specifically lines 49-50]

b) transmitting the start scan signal from the client device to a scanner using a control element defined in a hypertext mark-up language (HTML) document displayed on the web browser; [column 1, line 55-column 2, line 4, specifically column 2, lines 1-2]

c) receiving the start scan signal at the scanner [column 3, lines 30-33]; and

d) scanning a document with the scanner to generate document data, in response to the start scan signal received in said step (c). [column 3, lines 30-33]

Regarding claim 10, Olbirt discloses a method as claimed in claim 9, wherein said step (a) is performed by depressing and releasing a control element of the user interface of the client device using a mouse. [column 3, lines 30-31]

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Regarding claim 11, Olbirtch discloses a method as claimed in claim 9, further comprising the steps of e) transmitting the document data from the scanner to the client device; [column 3, lines 33-34]

f) receiving the document data at the client device [column 3, lines 33-34]; and

g) generating a display including the scanned document on the user interface of the client device, based on the document data received in said step (f). [column 3, lines 33-36]

Regarding claim 25, Olbirtch discloses a method as claimed in claim 9, further comprising the step of e) generating a display of the scanned document on the user interface via the client device, based on the document data. [column 3, lines 33-36]

Regarding claim 26, Olbirtch discloses a method as claimed in claim 9, further comprising the steps of e) transmitting the document data from the scanner to a server. [column 4, lines 23-33]

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

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4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

10. Claims 1-2, 27, 35, 41-42, 49-53, and 55-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olbirtch in view of Narayan et al [US Patent 6 035 323].

Regarding claim 1, Olbirtch discloses a method comprising the steps of:

a) generating a display using a control element defined by a hypertext mark-up language (HTML) document displayed by a web browser of a user interface of a client device [Figures 2 and 3; column 3, line 42-column 4, line 7], the display including a document display portion [Figure 2, item 32], an index field portion [Figure 2, items 38, 40, 42, and 44; Figure 3, item 50], and a control portion [Figure 2, items 46 and 48], the document display portion including a display of document data [column 3, lines 42-45], the index field portion permitting index data to be input to the user interface in association with the document data [column 3, line 66-column 4, line 2], and the control portion including at least one control element for generating a start scan signal to initiate scanning of the document with the scanner to generate the document data [Figure 2, item 46; column 3, lines 49-50].

Olbirtch does not expressly disclose wherein the control portion includes an element for sending a send data signal to transmit the document data with the index data to a server, however, Olbirtch does disclose wherein the document data with the index data is sent to the client device using a control element. [column 3, lines 34-36 and 51-53]

Narayan discloses wherein a control portion includes an element for sending a send data signal to transmit the document data with the index data to a server. [column 7, line 49-column 8, line 35; column 9, line 65-column 10, line 50, specifically column 10, lines 14-18]

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It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in Olbirtch with the send data signal for transmitting document data with index data to a server as described in Narayen. Narayen discloses that sending data to a server allows other users within a network to use a simple web browser to view images sent by another client in order to allow users to share data by providing a central server to store the data [column 7, lines 14-56; column 16, line 61-column 17, line 3], which would motivate one of ordinary skill in the art to combine the teachings of Olbirtch and Narayen. Therefore, it would have been obvious to achieve the limitations as described in claim 1.

Claim 41 is also rejected under 35 USC 103(a) since claim 41 contains the same limitations as recited in claim 1.

Regarding claim 2, Olbirtch and Narayen disclose a method as claimed in claim 1.

Olbirtch and Narayen do not expressly disclose wherein the control portion, as assumed by the Examiner, includes a control element used to alternately generate the start scan signal and the send data signal with respective successive activations of the control element, however, Olbirtch discloses a control element used to generate a start scan signal as described above and Narayen discloses a control element used to generate a send data signal as described above.

It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in Olbirtch and Narayen regarding claim 1 with the control element used to alternatively generate both start scan signal and send data signal. Since Olbirtch and Narayen both disclose a control element to generate their respective signals, it would have been obvious to have a control element that activates both signals successively since it would advantageously allow the user to use one control element instead of having to waste time using

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both elements. Therefore, it would have been obvious to achieve the limitations as described in claim 2.

Claims 35 and 42 is also rejected under 35 USC 103(a) since claims 35 and 42 contains the same limitations as recited in claim 2.

Regarding claim 27, Olbirtch discloses a method comprising the steps of a) generating a start scan signal using a control element defined by a hypertext mark-up language (HTML) document displayed by a web browser of a user interface of a client device; [Figure 2; item 46; column 1, line 55-column 2, line 4; column 3, lines 42-65, specifically lines 49-50]

b) transmitting the start scan signal from the client device to a scanner; [column 1, line 55-column 2, line 4, specifically column 2, lines 1-2]

c) receiving the start scan signal at the scanner; [column 3, lines 30-33]

d) scanning a document with the scanner to generate document data, in response to the start scan signal received in said step (c); [column 3, lines 30-33]

e) transmitting the document data from the scanner to the client device; [column 3, lines 33-34]

f) receiving the document data at the client device; [column 3, lines 33-34]

g) generating a display including the scanned document in the HTML document displayed within the web browser of the user interface of the client device, based on the document data received in said step (f); [column 3, lines 33-36]

h) inputting predetermined index data into a field defined in the HTML document displayed by the web browser of the user interface of the client device; [Figure 3, item 54; column 3, line 66-column 4, line 2]

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Olbircht does not expressly disclose a send data signal which transmits the document and index data from the client to a server and storing the data in a database.

Narayan discloses the method, further comprising:

i) generating a send data signal using a control element defined in the HTML document displayed by the web browser of the user interface of the client device; [column 7, line 49-column 8, line 35; column 9, line 65-column 10, line 50, specifically column 10, lines 14-18]

j) transmitting the document data and index data from the client device to the server over an internetwork in response to the send data signal generated in said step (i); k) receiving the document data and index data at the server; and l) storing the document data received in step (k) in association with the index data in a database of a data storage unit. [column 9, line 65-column 10, line 50]

Claim 27 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 1 also applies to claim 27.

Regarding claim 49, Olbircht and Narayan disclose a system as claimed in claim 41.

Narayan discloses wherein the server receives document data and index data from the client, as assumed by the Examiner, the system further comprising:

a database storage unit coupled to the server, for storing the index data in association with the document data from the processor. [column 8, lines 7-59, specifically lines 38-40; column 10, line 51-column 11, line 6]

Claim 49 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 1 also applies to claim 49.

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Claim 50 is rejected under 35 USC 103(a) since claim 50 contains the same limitations found in claims 41 and 49 viewed in combination with each other.

Regarding claim 51, Olbicht and Narayan disclose a system as claimed in claim 50.

Narayan discloses wherein the network includes an internetwork. [column 4, lines 25-48]

Claim 51 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 22 also applies to claim 51.

Regarding claim 52, Olbicht and Narayan disclose a system as claimed in claim 50.

Olbicht discloses wherein the client device includes a personal computer. [column 2, lines 52-55]

Regarding claim 53, Olbicht and Narayan disclose a system as claimed in claim 50.

Olbicht discloses wherein the user interface includes a web browser in which the document data is displayed. [column 2, lines 40-51]

Regarding claim 55, Olbicht discloses a system coupled to a network, the system operated by at least one user, the system comprising:

a scanner generating document data by scanning a document based on a first command from a user, the client device receiving the document data from the scanner and generating a display of the document in a browser thereof. [column 3, lines 30-36]

Olbicht does not expressly disclose a second command for sending data to a server and storing said data in a database. Olbicht also does not expressly disclose a plurality of subsystems connected to the network.

Narayan discloses wherein:

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a plurality of subsystems coupled to the network, the subsystems having respective client devices capable of displaying document data included within respective hypertext mark-up language (HTML) documents displayed on corresponding web browsers thereof, at least one of the subsystems including a scanner coupled to a respective client device; [column 8, lines 7-59, specifically lines 10-21 and 45-59; column 11, lines 7-49]

the client device transmitting the document data based on a second command from the user; at least one server coupled to the network, the server receiving the document data from the client device; and a database storage unit coupled to the server, the database storage unit storing the document data so that the subsystems can access the document data. [column 8, lines 7-59, specifically lines 21-45]

Claim 55 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 1 also applies to claim 55.

Claim 56 is also rejected under 35 USC 103(a) since claim 56 contains the same limitations as recited in claim 51.

Regarding claim 57, Olbicht discloses a method comprising the steps of:

a) generating a display including a view of a scanned document with a browser of a client device based on document data derived from a scan of a document; [Figure 2; item 46; column 1, line 55-column 2, line 4; column 3, lines 42-65, specifically lines 49-50]

b) inputting predetermined index data into the user interface of the client device; [Figure 3, item 54; column 3, line 66-column 4, line 2]

Olbicht does not expressly disclose a send data signal which transmits the document and index data from the client to a server and storing the data in a database.

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Narayan discloses a method, comprising the steps:

c) generating a send data signal at the user interface of the client device; [column 7, line 49-column 8, line 35; column 9, line 65-column 10, line 50, specifically column 10, lines 14-18]

d) transmitting the document data and index data from the client device to the server over an internetwork in response to the send data signal generated in step (c); e) receiving the document data the index data at the server; and f) storing the document data in association with the index data in a database of a data storage unit. [column 9, line 65-column 10, line 50]

Claim 57 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 1 also applies to claim 57.

Regarding claim 58, Olbircht and Narayan disclose a method as claimed in claim 57.

Olbircht discloses wherein the display of the scanned document is included in a hypertext mark-up language (HTML) document displayed by the browser of the client device's user interface. [column 2, lines 25-51]

Regarding claim 59, Olbircht and Narayan disclose a method as claimed in claim 58.

Narayan discloses wherein the send data signal is generated in step (c) by activating a control element defined in the HTML document. [column 7, line 49-column 8, line 35; column 9, line 65-column 10, line 50, specifically column 10, lines 14-18]

Claim 59 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 1 also applies to claim 59.

11. Claims 12-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olbircht in view of Guedalia [US Patent 6 356 283].

Regarding claim 12, Olbircht discloses a method as claimed in claim 11.

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Olbircht does not expressly disclose the method further comprising the step of h) adjusting the display of the scanned document via the user interface.

Guedalia discloses adjusting the display of the scanned document via the user interface. [column 4, lines 36-51; column 21, lines 20-37]

Claim 12 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 3 also applies to claim 12.

Regarding claim 13, Olbircht and Guedalia disclose a method as claimed in claim 12.

Guedalia discloses wherein the adjusting of said step (h) includes increasing the scale of the display of the scanned document ("zooming in") on the user interface. [column 4, lines 35-51, specifically lines 44-47; column 21, lines 20-37, specifically lines 26-27]

Claim 13 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 3 also applies to claim 13.

Regarding claim 14, Olbircht and Guedalia disclose a method as claimed in claim 12.

Guedalia discloses wherein the adjusting of said step (h) includes decreasing the scale of the display of the scanned document ("zooming out") on the user interface. [column 4, lines 35-51, specifically lines 47-48; column 21, lines 20-37, specifically line 27]

Claim 14 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 3 also applies to claim 14.

Regarding claim 15, Olbircht and Guedalia disclose a method as claimed in claim 12.

Guedalia discloses wherein the adjusting of said step (h) includes scaling the display of the scanned document to fit within the document display portion of the display of the user

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interface of the client device. [column 4, lines 35-51, specifically line 39; column 21, lines 20-37, specifically line 28]

Claim 15 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 3 also applies to claim 15.

Regarding claim 16, Olbicht and Guedalia disclose a method as claimed in claim 12.

Olbicht and Guedalia do not expressly disclose wherein the adjusting of said step (h) includes generating the display of the scanned document on the user interface of the client device with the same scale as the scanned document, however, Guedalia does disclose that a user may scale a document to a viewable scale of the user's choosing [column 4, lines 35-51, specifically lines 44-51; column 21, lines 20-37, specifically line 24-28]

Claim 16 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 7 also applies to claim 16.

Regarding claim 18, Olbicht and Guedalia disclose a method as claimed in claim 12.

Olbicht and Guedalia do not expressly disclose further comprising the step of h) generating a multiscan mode signal at a user interface of the client device, said steps (d) - (f) repeatedly performed to generate document data for a plurality of documents, based on the multimode scan signal, however, Olbicht discloses the steps (d) - (f) as described above.

It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in Olbicht and Guedalia regarding claim 12 with the multiscan mode signal. Olbicht discloses that the invention may be used with multiple page documents [column 2, lines 47-48], making the use of a multiscan mode signal in order to successively

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generate these steps in order to scan multiple documents obvious to one of ordinary skill in the art. Therefore, it would have been obvious to achieve the limitations as described in claim 18.

12. Claims 3-8, 29-33, 36, and 43-48 rejected under 35 U.S.C. 103(a) as being unpatentable over Olbircht and Narayen et al. as applied to claim 2 above, and further in view of Guedalia.

Regarding claim 3, Olbircht and Narayen disclose a method as claimed in claim 2.

Olbircht and Narayen do not expressly disclose adjusting the scale of the display of the document data.

Guedalia discloses wherein the control element includes at least one control element activatable to adjust the scale of the display of the document data. [column 4, lines 36-51; column 21, lines 20-37]

It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in Olbircht and Guedalia regarding claim 2 with the adjusting the scale of the display as described in Guedalia. Guedalia discloses that adjusting the scale of the display allows the user to advantageously view the document as the user wishes [column 16, lines 45-51], which would motivate one of ordinary skill in the art to use the teachings of Guedalia. Therefore, it would have been obvious to achieve the limitations as described in claim 3.

Claims 29 and 43 are also rejected under 35 USC 103(a) since claims 12, 29, and 43 contain the same limitations found regarding claim 3.

Regarding claim 4, Olbircht, Narayen, and Guedalia disclose a method as claimed in claim 3.

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Guedalia discloses wherein the control element is activatable to increase the scale of the display of the document data ("zoom in"). [column 4, lines 35-51, specifically lines 44-47; column 21, lines 20-37, specifically lines 26-27]

Claim 4 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 3 also applies to claim 4.

Claims 30 and 44 are also rejected under 35 USC 103(a) since claims 13, 30, and 44 contain the same limitations as recited in claim 4.

Regarding claim 5, Olbirt, Narayan, and Guedalia disclose a method as claimed in claim 3.

Guedalia discloses wherein the control element is activatable to decrease the scale of the document data ("zoom out"). [column 4, lines 35-51, specifically lines 47-48; column 21, lines 20-37, specifically line 27]

Claim 5 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 3 also applies to claim 5.

Claims 31 and 45 are also rejected under 35 USC 103(a) since claims 31 and 45 contain the same limitations as recited in claim 5.

Regarding claim 6, Olbirt, Narayan, and Guedalia disclose a method as claimed in claim 3.

Guedalia discloses wherein the control element is activatable to scale the document data to fit within the document display portion of the user interface [column 4, lines 35-51, specifically line 39; column 21, lines 20-37, specifically line 28].

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Claim 6 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 3 also applies to claim 6.

Claims 32 and 46 are also rejected under 35 USC 103(a) since claims 32 and 46 contain the same limitations as recited in claim 6.

Regarding claim 7, Olbirt, Narayan, and Guedalia disclose a method as claimed in claim 3.

Olbirt, Narayan, and Guedalia do not expressly disclose wherein the control element is activatable to scale the document data for display in the document display portion to the same scale as the scanned document, however, Guedalia does disclose that control elements are used to scale a document to a viewable scale of the user's choosing [column 4, lines 35-51, specifically lines 44-51; column 21, lines 20-37, specifically line 24-28]

It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in Olbirt, Narayan, and Guedalia regarding claim 3 with the scaling of documents as described in Guedalia. Since Guedalia discloses that the document may be scaled to the scale of the choosing of the user, it would have been obvious to scale the document to the actual scale of the document to advantageously allow the user to view the document in the display as if the user was actually viewing the document on paper. Therefore, it would have been obvious to achieve the limitations as described in claim 7.

Claims 33 and 47 are also rejected under 35 USC 103(a) since claims 33 and 47 contain the same limitations as recited in claim 7.

Regarding claim 8, Olbirt, Narayan, and Guedalia disclose a method as claimed in claim 3.

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Narayan discloses wherein the control element includes a control element to select document data from among a plurality of scanned documents for display on the document display portion of the display. [column 8, lines 7-21; column 8, line 60-column 9, line 20]

It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in Olbicht, Narayan, and Guedalia regarding claim 3 with the control element selecting multiple scanned documents for display as described in Narayan. Narayan discloses that selecting a plurality of scanned documents allows the user to advantageously group a plurality of images together in an album to allow other users on the Internet to view the images sent to the central server [column 7, lines 14-48, specifically lines 38-48], which would motivate one of ordinary skill in the art to use the teachings of Narayan. Therefore, it would have been obvious to achieve the limitations as described in claim 8.

Claims 36 and 48 are also rejected under 35 USC 103(a) since claims 36 and 48 contain the same limitations as recited in claim 8.

13. Claims 19-24 and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olbicht and Guedalia as applied to claims 12 and 18 above, and further in view of Narayan et al.

Regarding claim 19, Olbicht and Guedalia disclose a method as claimed in claim 18.

Olbicht and Guedalia do not expressly disclose generating a selection signal for at least one of a plurality of scanned documents and displaying the document data in each document selected.

Narayan discloses the method, further comprising the steps of

i) generating a selection signal at the client device indicating at least one of the first, last, next and previous scanned documents for display; and j) displaying the document data for one of

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the scanned documents, based on the selection signal generated in said step (i). [column 7, lines 2-13; column 8, lines 7-21; column 8, line 60-column 9, line 20]

Claim 19 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 8 also applies to claim 19.

Regarding claim 20, Olbircht and Guedalia disclose a method as claimed in claim 12.

Olbircht discloses the method, further comprising the steps of

h) inputting predetermined index data into an index field defined by the HTML document displayed by the web browser of the user interface of the client device. [Figure 3, item 54; column 3, line 66-column 4, line 2]

Olbircht and Guedalia do not expressly disclose a send data signal which transmits the document and index data from the client to a server and storing the data in a database.

Narayan discloses the method, further comprising the steps: i) generating a send data signal using the control element defined by the HTML document displayed by the web browser of the user interface of the client device; [column 7, line 49-column 8, line 35; column 9, line 65-column 10, line 50, specifically column 10, lines 14-18]

j) transmitting the document data and index data from the client device to the server over an internetwork in response to the send data signal generated in said step (i); k) receiving the document data and index data at the server; and l) storing the document data in association with the index data in a database of a data storage unit. [column 9, line 65-column 10, line 50]

Claim 20 is rejected under 35 USC 103(a) since the motivations to combine references put forth regarding claim 1 also applies to claim 20.

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Regarding claim 21, Olbicht, Guedalia, and Narayen disclose a method as claimed in claim 20.

Olbicht discloses wherein the index data includes predetermined identification data to identify the document. [column 3, line 66-column 4, line 2]

Claim 37 is also rejected under 35 USC 103(a) since claim 37 contains the same limitations as recited in claim 21.

Regarding claim 22, Olbicht, Guedalia, and Narayen disclose a method as claimed in claim 20.

Narayen discloses wherein the document data and the index data are transmitted between the server and client device in hypertext transfer protocol (HTTP) format. [column 2, lines 34-60, specifically lines 45-48]

It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in Olbicht, Guedalia, and Narayen regarding claim 20 with the transmission of data between the client and server using the HTTP protocol as described in Narayen. Since Olbicht [column 2, lines 40-51], Guedalia [column 2, lines 30-46], and Narayen describe sending data on the Internet which uses the HTTP protocol, it would have been obvious to one of ordinary skill in the art to use the protocol to send document data to the server with the method described in Olbicht, Guedalia, and Narayen. Therefore, it would have been obvious to achieve the limitations as described in claim 22.

Claim 38 is also rejected under 35 USC 103(a) since claim 38 contains the same limitations as recited in claim 22.

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Regarding claim 23, Olbicht, Guedalia, and Narayen disclose a method as claimed in claim 20.

Olbicht, Guedalia, and Narayen do not expressly disclose wherein the start scan signal and the send data signal are input by a user via a common control element of the user interface that toggles between a first scan mode for the performance of said step (a) and a second send mode for the performance of said step (i), however, Olbicht discloses the send data signal as described above and a control element toggling a first scan mode for the performance of said step (a) [Figure 2, items 38, 40, 42, and 44; column 3, lines 42-48]. Narayen also discloses the send data signal as described above and a control element toggling a second send mode for the performance of said step (i) [column 9, line 65-column 10, line 50, specifically column 10, lines 25-39].

It would have been obvious to one skilled in the art at the time the invention was made to use the method as described in Olbicht, Guedalia, and Narayen regarding claim 20 with the toggling of performance modes for steps (a) and (i) as described in Olbicht and Narayen. Since Olbicht and Narayen disclose separate scan and send modes for the performance of steps (a) and (i), it would have been obvious to combine the function into a common control element since the user would be able to change the performance settings quickly and easily. Therefore, it would have been obvious to achieve the limitations as described in claim 23.

Claims 24, 39, and 40 are also rejected under 35 USC 103(a) since claims 24, 39, and 40 contain the same limitations recited in claim 23.

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Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following US Patents teach the state of the art in scanning documents within a network system and storage within servers:

US Patent 5 666 490 to Gillings et al;

US Patent 6 009 442 to Chen et al;

US Patent 6 101 509 to Hanson et al;

US Patent 5 671 282 to Wolff et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Neurauter whose telephone number is 703-305-4565. The examiner can normally be reached on Mon-Fri 8am-4:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-7240.

gcn
October 16, 2002



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